

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

**PLAINSCAPITAL BANK**

**Plaintiff,**

**v.**

**Case No. 4:09-cv-653**

**HILLARY MACHINERY, INC.**

**Defendant.**

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**AGREED ORDER OF DISMISSAL WITH PREJUDICE**

The parties have presented an Agreed Motion for Dismissal, pursuant to Fed. R. Civ. P. 41(a)(1), and the Court and having considered same, the Court hereby orders that this action is dismissed with prejudice and that the parties shall each bear their own costs and attorney's fees.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

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